



Home of the Tualatin River National Wildlife Refuge

Case No. PA 16-02
Fee 5330 -
Receipt #
Date 2-8-16
TYPE V

City of Sherwood Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Variance(list standard(s) to be varied in description)
- Site Plan (Sq. footage of building and parking area)
- Planned Unit Development
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: Text Amendment

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: Robert Galati, PE - City of Sherwood Phone: (503) 925-2303
 Applicant Address: same as owner Email: _____
 Owner: Sherwood Urban Renewal Agency Phone: _____
 Owner Address: 22560 SW Pine Street, Sherwood, Oregon 97140 Email: GalatiB@SherwoodOregon.gov
 Contact for Additional Information: Keith Jones, HHPR - (503) 221-1131 - keithj@hhpr.com

Property Information:

Street Location: N/A - Legislative Text Amendment
 Tax Lot and Map No: N/A - Legislative Text Amendment
 Existing Structures/Use: N/A - Legislative Text Amendment
 Existing Plan/Zone Designation: N/A - Legislative Text Amendment
 Size of Property(ies) N/A - Legislative Text Amendment

Proposed Action:

Purpose and Description of Proposed Action: _____
Zoning Text Amendment to allow stand-alone parking in residential zones within the Old Town Overlay District as a conditional use, when the parking fronts an Arterial or Collector Street. Amend Section 16.162.040.

Proposed Use: N/A - Legislative Text Amendment

Proposed No. of Phases (one year each): N/A - Legislative Text Amendment

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

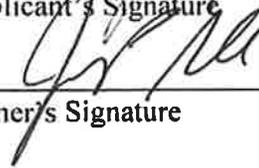
I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.



Applicant's Signature

2. 17. 16

Date



Owner's Signature

2/2/16

Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

3 * copies of Application Form completely filled out and signed by the property owner (or person with authority to make decisions on the property).

Copy of Deed to verify ownership, easements, etc.

At least 3 * folded sets of plans

At least 3 * sets of narrative addressing application criteria

Fee (along with calculations utilized to determine fee if applicable)

Neighborhood Meeting Verification including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

Signed checklist verifying submittal includes specific materials necessary for the application process

*** Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

**Comprehensive Plan Text Amendment
Proposal to Allow Public Off-Street Parking Lots in Residential Zones
within Old Town
Applicant Narrative**

Owner/Applicant:

City of Sherwood
Robert J. Galati, PE
22560 SW Pine Street
Sherwood, OR 97140
(503) 925-2303
GalatiB@SherwoodOregon.gov

Contact:

Keith Jones, AICP, LEED AP ND
Harper Houf Peterson Righellis Inc.
205 SE Spokane Street, Suite 200
Portland, OR 97202
keithj@hhpr.com
(503) 221-1131

Summary of Request:

Amend Sherwood Zoning and Community Development Code Section 16.162.040 to allow stand-alone parking lots as a conditional use in residential zones within the Old Town Overlay District. Currently stand alone parking lots are allowed outright in commercial zones in the Old Town Overlay but not permitted in residential zones. Amendment would only allow stand-alone parking lots in residential zones along collector and arterial streets.

Date:

February 2, 2016



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I. DESCRIPTION OF PROPOSAL

In the past several years, City of Sherwood staff has received many comments on the need to expand the amount of public parking available within the Old Town area. Citing the lack of public parking as a main concern and limitation to business growth, the City of Sherwood Urban Renewal Agency has identified several areas within the Sherwood's Old Town that are capable of being developed as public parking lots. It is believed that additional public parking lots would provide the relief sought by Old Town business owners.

Chapter 16.162 (Old Town (OT) Overlay District) of the Sherwood Zoning and Community Development Code (SZCDC) regulates uses in the Old Town Overlay per Section 16.162.030 and 16.162.040. Both these sections state that the underlying zone dictates allowed uses in Old Town. However, these sections also state that the Old Town Overlay can set special standards for allowed uses specific to Old Town.¹

In Old Town, stand-alone parking lots, parking lots not directly tied to a specific land use, are not currently treated differently than the underlying zone's use requirements. Therefore, stand-alone parking lots are allowed as stated in the underlying zone. There are three zoning districts within the Old Town Overlay and stand-alone parking is allowed in these zones as follows:

1. Retail Commercial (RC) (Section 16.22.020) – Public or commercial parking (non-accessory) is a permitted use
2. High Density Residential (HDR) (Section 16.12.020) – Not specified and therefore not allowed
3. Medium Density Residential Low (MDRL) - (Section 16.12.020) – Not specified and therefore not allowed

To accommodate the identified need for an increase in public parking within Old Town, the applicant requests a zoning text amendment that would allow stand-alone parking (public and commercial (non-accessory) parking) in the Old Town Overlay as a conditional use.

Approval Request

The applicant requests a text amendment to the SZCDC as follows:

16.162.040 - Conditional Uses

The following uses are permitted as conditional uses, provided such uses meet the applicable environmental performance standards contained in Division VIII, and are approved in accordance with Chapter 16.82:

- A. *Uses permitted as conditional uses in the RC zone, Section 16.28.020, HDR zone, Section 16.20.020, and the MDRL zone, Section 16.16.020, provided that uses permitted as conditional uses on any given property are limited to those permitted in the underlying zoning district, unless otherwise specified by Section 16.162.030 and this Section.*

¹ Section 16.162.030 and 040 both refer to the underlying zone as dictating allowed uses in Old Town. However, these sections also state "unless otherwise stated" allowing uses to be treated differently in Old Town and establishing unique requirements for permitted and conditional uses in Old Town.



- B. *Townhouses (shared wall single-family attached) subject to Chapter 16.44. In addition, any garages shall use alley access. RC zone setback standards may be used in lieu of other applicable standards.*
- C. *Public and commercial (non-accessory) parking within residential zoning districts. Such parking is only allowed when the lot that the parking will be constructed on has street frontage on arterial or collector street as indicated per the Sherwood Transportation System Plan.*



II. RESPONSE TO APPLICABLE APPROVAL CRITERIA
SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE

Chapter 16.80 – Plan Amendments

16.80.010 – Initiation of Amendments

An amendment to the City Zoning Map, the text of the Comprehensive Plan, or the text of the Zoning and Community Development Code may be initiated by the Council, Commission, or an owner of property within the City.

Response: The amendment request is being initiated by the City's Urban Renewal Agency as a property owner.

16.80.020 – Amendment Procedures

Zoning Map or Text Amendment

- A. Application - An application for a Zoning Map or text amendment shall be on forms provided by the City and shall be accompanied by a fee pursuant to Section 16.74.010.*
- B. Public Notice - Public notice shall be given pursuant to Chapter 16.72.*
- C. Commission Review - The Commission shall conduct a public hearing on the proposed amendment and provide a report and recommendation to the Council. The decision of the Commission shall include findings as required in Section 16.80.030.*
- D. Council Review - Upon receipt of a report and recommendation from the Commission, the Council shall conduct a public hearing. The Council's decision shall include findings as required in Section 16.80.030. Approval of the request shall be in the form of an ordinance.*

Response: The City of Sherwood Urban Renewal Agency conducted a neighborhood meeting on a proposed public parking lot site and solicited comments related to the proposal and public parking needs within Old Town. The neighborhood meeting was held on December 2, 2015. Documentation of the meeting including notice affidavit, sign-in sheet and copy of the mailed notice are attached.

16.80.030 – Review Criteria

A. Text Amendment

An amendment to the text of the Comprehensive Plan or the Zoning and Community Development Code must be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment must be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

[...]

Response: The Sherwood Urban Renewal Agency Board has identified the need for providing additional parking within the Old Town area. Response to applicable Comprehensive Plan policies is provided in Section III of this report.



III. RESPONSE TO APPLICABLE COMPREHENSIVE PLAN POLICIES
SHERWOOD ZONING COMPREHENSIVE PLAN PART II

The Sherwood Comprehensive Plan Part II contains the City's land use policies. Review of this document the following applicable policies have been identified:

Chapter 4 – Section O. Community Design

Chapter 4 - Section 3 (General Objectives)

c. To develop and implement policy which will minimize or eliminate adverse visual effects caused or perpetuated by the design and location of new development including but not limited to effects from.

- 1) The scale, mass, height, area, and architectural design of buildings and structures.*
- 2) Vehicular and pedestrian ways and parking areas.*
- 3) Existing or proposed alteration of natural topographic features, vegetation and waterways.*
- 4) Other developments or structures including, utility lines, storage, or service areas and advertising features which may result in the interference with sun and light exposure, views, vistas, privacy and general aesthetic value of the neighborhood or area.*

Response: The Sherwood Urban Renewal Board has identified a need for additional parking within Old Town. There is an existing non-conforming parking area at the southeast corner of SW 1st Street and SW Pine. This off-street parking area does not meet current code standards including requirements for landscaping and paving. This parking area was created when the old Robin Hood Theater was demolished in 2002 and was intended at that time to be temporary. Now that the old Robin Hood Theater site is being considered for sale to private development, this parking will no longer be available. The Urban Renewal Board desires to replace this non-conforming parking lot with a permanent solution that will meet current code standards. As stated previously, the proposed text amendment is necessary to allow public parking lots within residential areas of Old Town where stand-alone public parking lots are not currently allowed by the SZCDC.

This text amendment, if approved, would apply within all of the Old Town Overlay District. As each proposed project and potential site are unique, the applicant proposes that any stand-alone parking projects on residential property within the Old Town Overlay be processed as a conditional use. The SZCDC already requires that all site plan reviews be processed as a Type IV Planning Commission hearing for sites in the Old Town Overlay. Making these proposals also a conditional use would allow the Planning Commission to place additional conditions on these proposals and to review a proposal for consistency with the Comprehensive Plan. The conditional use would also give the Planning Commission greater authority to deny the proposal if it was found not to be consistent with City goals and objectives for Old Town.



In addition to requiring conditional use approval, the applicant also proposes that parking lots on residential property in the Old Town Overlay only be allowed on arterial and collector streets. Doing this will prevent parking lots from being constructed within the areas of Old Town that have the most residential character and where the parking would likely have the greatest negative impacts on residential character.

IV. RESPONSE TO APPLICABLE POLICY DOCUMENTS

2005 Sherwood Old Town Design Guidelines

Response: The Sherwood Old Town Design Guidelines only have one guideline specific to parking areas. This one guideline states that stormwater runoff should be treated in vegetated swales. Stormwater treatment is site specific and must meet the requirements of Clean Water Services. Treatment of runoff with vegetated swales is a typical requirement for development of parking areas and is typically required by Clean Water Services and the City of Sherwood.

This is a guideline and not a requirement. Each site should be reviewed independently including topography and availability of stormwater systems. However, current standards and regulations regarding parking lots are consistent with this guideline.

2013 Sherwood Town Center Plan

Response: The 2013 Sherwood Town Center Plan indicates that parking should be managed so that there is sufficient parking for businesses and residents while using land efficiently. Public off-street parking lots are identified in the Town Center Plan as an effective way of addressing parking needs and therefore the proposal is consistent with the Town Center Plan.

Policy 9 of the Town Center plan addresses parking. In particular, Strategy 9.1 applies directly to Old Town, stated as follows:

STRATEGY 9.1 Examine parking supply and demand in Old Town to determine if changes to existing parking standards are necessary.

The applicant proposes to allow stand-alone parking in residential zones as a conditional use. All parking lots will need to also have a Type IV site plan review approval since this is currently required for all site plan reviews in Old Town. The conditional use and Type IV site plan review will give the Planning Commission the ability to review each Old Town parking proposal in residential zones and to determine if the proposal meets City policy and objectives. The Planning Commission will be given greater authority to place conditions on the proposal or to deny the proposal if found to not be consistent with the site in which it is proposed to be located.

The applicant is requesting this text amendment in support of proposed stand-alone parking (public and commercial (non-accessory) parking) within the Old Town Overlay. The applicant finds that there is a need for public parking since the existing non-conforming parking lot at NW 1st Street and SW Pine (former Robin Hood Theater site) will be displaced in the near future and because the Sherwood Urban Renewal Agency in consultation with Old Town area business owners has identified a need to provide additional off-street public parking lots within Old Town.



V. CONCLUSION

This summary of request demonstrates compliance with applicable approval criteria and code. The applicant respectfully requests that the City approve this application.

